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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/026,169	12/27/2001	Gunther Peschke	742116-2	4460

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EXAMINER

NGUYEN, MICHELLE P

ART UNIT PAPER NUMBER

2851

DATE MAILED: 07/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application N .

10/026,169

Applicant(s)

PESCHKE ET AL.

Examiner

Michelle Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 May 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 02 May 2003 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new ground(s) of rejection set forth below.

### ***Claim Objections***

2. Claims 1, 4, 6, 7 and 12 are objected to because:
  - (a) In claim 1, line 1, "Device" should be --A device--.
  - (b) In claim 4, line 1, "device Device" should be --device--.
  - (c) Claim 6 recites the limitation "the reflectors" in line 2. There is insufficient antecedent basis for this limitation in the claim. Please note: For the purpose of the rejection under 35 USC 103 set forth below, claim 6 has been treated as being dependent from claim 4.
  - (d) Claim 7 recites the limitation "the image projection plane" in line 9. There is insufficient antecedent basis for this limitation in the claim.
  - (e) Claim 7 recites the limitation "the objective lens" line 10. There is insufficient antecedent basis for this limitation in the claim.
  - (f) Claim 12 recites the limitation "the reflectors" in line 2. There is insufficient antecedent basis for this limitation in the claim. Please note: For the purpose of the rejection under 35 USC 103 set forth below, claim 12 has been treated as being dependent from claim 10.Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 2, 7 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,477,160 to Trumbull.

With regard to claim 1, Trumbull discloses a device for large screen projection, comprising:

a projection lamp (light source 60) (see Fig. 6);

an image projection plane (position of film frame 18F) (see Fig. 6); and

an objection lens (projection lens 20) (Fig. 6);

wherein the projection lamp contains two light sources (lamps 62, 64)

which are arranged relative to one another in a manner adapted to produce light envelopes (light bundles 72, 74) in the form of a partial cone of light from each of the light sources that is directed through the image projection plane and through the objective lens (see Fig. 6);

wherein a main cone of light is formed from said light sources about a common envelope line (axis 70) of said two partial cones of light (see Fig. 6);

wherein the light sources are arranged such that their partial cones of light merge in the main cone of light (see Col. 8, lines 14-7, Figs. 6, 9); and

wherein the partial cones of light converge to a common point located between the image projection plane and an exit surface of the objective lens (see Col. 8, lines 9-12).

With regard to claim 2, Trumbull teaches the device as claimed in claim 1, wherein the two partial cones of light have optical axes arranged at an included angle of roughly 18 degrees (see Fig. 6).

With regard to claim 7, Trumbull discloses a projection lamp for a lamp housing of a large screen projector, comprising:

two light sources (lamps 62, 64) which are arranged relative to one another in a manner adapted to produce light envelopes (light bundles 72, 74) in the form of a partial cone of light from each of the light sources (see Fig. 6); and

wherein a main cone of light is formed from said light sources about a common envelope line (axis 70) of said two partial cones of light (see Fig. 6);

wherein the light sources are arranged such that their partial cones of light merge in the main cone of light (see Col. 8, lines 14-, Figs. 6, 9); and

wherein the partial cones of light converge to a common point located between the image projection plane and an exit surface of the objective lens (see Col. 8, lines 9-12).

With regard to claim 8, Trumbull teaches the device as claimed in claim 7, wherein the two partial cones of light have optical axes arranged at an included angle of roughly 18 degrees (see Fig. 6).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3-6 and 9-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,477,160 to Trumbull as applied to claims 1, 2, 7 and 8 above, and further in view of U.S. Patent No. 6,431,727 to Sugawara et al.

With regard to claims 3, 4, 9 and 10, Trumbull teaches the respective devices as claimed in claims 2, 1, 8 and 7, further comprising a reflector (reflectors 66, 68) associated with each of the two light sources, but does not teach the reflectors to define parabolic shapes which intersect at a junction line of the reflectors (see Fig. 6). However, Sugawara et al. teach a device comprising two light sources (light sources 1U, 1L) which produce partial light cones (areas between axes AU and AA, and AU and AL), wherein a main envelope (area between axes AU and AL) is formed about a common envelope line (axis AA) of the two partial light cones, and a reflector (parabolic mirrors 2U, 2L) associated with each of the two light sources, the reflectors defining parabolic shapes which intersect at a junction line of the reflectors which extends in a plane containing said common envelope line of the two partial cones of light (see Fig. 2B). It would have been obvious to one having ordinary skill in the art at the time the invention was made to replace the reflector of Trumbull with the reflector of Sugawara et al. for reducing the production of parts of the device.

With regard to claims 5, 6, 11 and 12, Sugawara et al. teach the edge areas of the reflectors as discussed above with respect to claims 3, 4, 9 and 10, respectively, to each be shortened on a mutually facing side, said shortened edge areas being connected to one another (see Fig. 2B).

### ***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michelle Nguyen whose telephone number is 703-305-2771. The examiner can normally be reached on M-F 8:30am-5:00pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Russ Adams can be reached on 703-308-2847. The fax phone numbers for

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the organization where this application or proceeding is assigned are 703-872-9318 for regular communications and 703-872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4900.

mpn  
June 30, 2003



RUSSELL ADAMS  
SUPERVISORY PATENT EXAMINER  
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